No. 2323—L. C., dated Bangalore, the 8th December 1948.

Under Standing Order 36 of the Mysore Legislative Council Standing Orders, the following report of the Select Committee on the Mysore Employees' State Insurance Bill, is published for general information.

By Order,
T. KEMPIAH.
Secretary,
Mysore Legislative Council.

REPORT OF THE SELECT COMMITTEE ON THE MYSORE EMPLOYEES' STATE INSURANCE BILL.

We, the Members of the Select Committee to which the Mysore Employees' State Insurance Bill has been referred, have considered the Bill at meetings held on 13th September, 22nd September and 28th September 1948 and have the honour to submit the following report:—

Clause 2 (10).—Modify the definition as follows:—

"Family" means the spouse and minor legitimate and adopted children, parents and parents-in-law dependent upon the insured person."

Clause 4—Recast sub-clause (c) as follows:—

"Not more than five persons to be nominated by the Government, of whom at least one shall be a woman and three officials of the Government."

Recast sub-clause (*e*) as follows:—

"Five persons, one at least of whom shall be a woman representing employees to be nominated by the Government in consultation with such organisations of employees as may be recognised for the purpose by the Government;"

Clause 7—In the last line, add the words "by it" between as may be authorised "and" in this behalf".

Clause 8—Recast sub-clause (b) as—

"Three members of the Corporation nominated by it, one of whom shall be a woman and the other two officials of the Government."

Clause 10—Recast as follows :—

(*a*) " the Senior Surgeon, *ex-officio*, as Chairman ;
(*b*) " the Director of Public Health, *ex-officio* ;

Clause 17—In the last line of the sub-clause (1) substitute " two hundred and fifty rupees and above " in place of " five hundred rupees and above. "

Recast sub-clause (3) as follows :—

" Every appointment to posts carrying a maximum monthly pay of two hundred and fifty rupees and above shall be made with the approval of the Government. "

In the proviso to clause 17 (3) substitute " not exceeding six months " for " not exceeding one year ".

Clause 19.—In the heading substitute " insured persons " for " employees ".

Clause 20.—Substitute "times and places" for "time and places".

Clause 21 (5).—Delete the rest of the sentence after the words " at the earliest opportunity ".

Clause 24.—Add the words " reason of " between " by " and " informality ", in the heading of the clause.

Clause 26.—Add " Mysore " before " Employees State Insurance Funds " wherever it occurs in clauses 26 and 27.

Clause 27.—In sub-clause (i) add the word " the " between " defraying " and " charges ".

Clause 36.—In the heading of clause 36 substitute " Legislature " for " Legislative Council ".

Clause 39.—Add " the " before " regulations " in the last line of sub-clause (4).

Clause 40.—Add " the " before " first instance " in the heading of the clause.

Clause 40 (3).—Add the word " neither " before " the principal employer " and add also the words " nor immediate employer " after the words " the principal employer ".

Delete the word " not " in the second line.

Clause 41.—Recast the heading of the clause as : " Recovery of contribution from immediate employer ".

In the last line of sub-clause (2) of clause 41 substitute " sub-section (2) of Section 40 " for " sub-sections (2) and (3) of Section 40 ".

Substitute "shall" for "should" in the explanation to sub-clause (2) of clause 41.—

Clause 45 (*c*).—Add the word "establishment," after "factory" in the third line.

Clause 46 (2).—Add "the" before "regulations" in the second line.

Clause 47.—Recast clause 47 as follows:—

"47. *When person eligible for sickness benefit*:— A person shall be qualified to claim sickness benefit during any benefit period, if during the corresponding contribution period, weekly contributions in respect of him were payable for not less than two-thirds of the number of weeks during which he shall be deemed to have been available for employment within the meaning of Section 48, subject to a minimum of twelve contributions;

Provided that the Corporation may waive the minimum number of contributions during the first contribution period".

Clause 48.—Recast Clause 48 follows:—

When person deemed available for employment:— A person shall always be deemed to have been available for employment in any week, except when during the whole of such week.—

(*a*) he was unable to work on account of sickness which had been duly certified whether entitling him to receive sickness benefit or not, or

(*b*) he was qualified to receive disablement benefit for temporary disablement, or

(*c*) in the case of an insured woman, she was entitled to the maternity benefit provided in section 50 or she would have been entitled to such benefit if she had fulfilled all other conditions entitling her thereto".

Clause 50.—Substitute "were payable" for "have been paid" after the words "in respect of her" in line three, and delete the word "not" occurring twice in lines four and five.

Clause 51 (1) (*d*).—Add the word "the" before 'Regulations".

Clause 53 (iii).—Substitute "leave him surviving" for "leave surviving him" in the first line, and substitute "as mentioned in clause (ii)" for "as aforesaid" in the second line.

In the third line of the same clause, substitute "leave her surviving" for "leave behind her" and the words 'mentioned in clauses (ii)' for 'aforesaid'.

Clause 55.—In the proviso to clause 55 (1) (*b*) add "the" before "regulations" in the second line.

Clause 57 (2).—Add "the" before "regulations" in the last line.

Clause 58 (3).—Add the words "shall be shared between the Corporation and the Government", between "thereof" and "shall be determined" in the third line.

Clause 60.—Delete the word "future" in sub-clause (1) and continue the sentence by removing the full-stop; after the last word "assignable" and the words "save in accordance with the provisions of this Act or the Rules thereunder".

Clause 62.—In the heading of the clause substitute "Persons" for "Employees".

Substitute "no person" for "an employee" and delete the word "not" in the second line of the clause.

Clause 63.— In the heading of the clause substitute "Persons" for "Employees".

Clause 64.—In the heading of the clause substitute "Beneficiaries" for "Employees".

In the last line of sub-clause (*c*), add "the" before "regulations".

In sub-clause (*d*) substitute "health visitor" for "sick visitor".

Clause 65.—In sub-clause (1) (*b*) substitute "and" for "or" in the first line.

Clause 66.—In sub-clause (1) (in the fifth line) add the words "notwithstanding the fact that the employer has paid the weekly contributions due under this Act in respect of such insured person", between "the Corporation shall" and "be".

Add the word "the" before "regulations" in the last line of clause 66 (2).

Clause 68.—The heading be modified as:—

"Corporation's rights where a principal employer fails or neglects to pay any contribution".

Clause 69.—In the second line of sub-clause (1) (i) add the words "or establishment" after the word "factory".

In the second line of sub-clause (1) (ii) substitute the words " conditions are " for " condition is " in the second line.

In sub-clause (3) (in line 4) add ' or establishment ' after the word ' factory '.

Clause 72.—Recast the clause as follows:—

" No employer by reason only of his liability for any contributions payable under this Act shall, directly or indirectly reduce the wages of any employee, or except as provided by the regulations, discontinue or reduce benefits payable to him under the conditions or his service which are similar to the benefits conferred by this Act. "

Clause 73.—In the last but one line of sub-clause (1) substitute the words ' as arising ' for ' to arise '.

Clause 75.—At the end of sub-clause (1) (g) after the word ' Act ' substitute the full-stop by a comma and begin the next para with a small letter.

Clause 76.—In the last line of sub-clause (1) substitute ' or ' for ' of '.

Clause 80.—In the proviso to clause 80, in the first line, substitute ' cause ' for ' excuse ' and ' benefit ' for ' benefits ' in the last line.

Clause 82.—In the sub-clause (2) continue the sentence by adding the words:

' or if the value of the subject matter in dispute exceeds Rs. 500 '.

Clause 85 (g).—Add the words ' the rules or ' between ' the requirements of this Act or ' and ' the regulations in respect of '.

Clause 94.—Substitute the following for sub-clause (1):

' The Government may, subject to the condition of previous publication, make rules not inconsistent with this Act for the purpose of giving effect to the provisions thereof.'

Add the following as sub-clause (2):

' In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely ':—

Below sub-clause (2) enter the items (*a*) to (*x*) as now found under sub-clause (1).

Continue the sentence in item (*a*) by removing the semi colon and adding the words 'and the qualification for such membership ;'

Renumber sub-clause (2) as (3).

Clause 95.—In item (*xv*) of sub-clause (2) remove the semi colon and continue the sentence by adding the words ' by health visitors '.

Delete item (xxiii) and renumber item (xxiv) as (xxiii).

Schedule I.—In 2 (*g*) substitute the words ' clauses (*a*) to (*f*) ' for ' clause (*a*) to (*f*)'.

Table.—In the First Item of the Table, substitute '0-6-0' for '0-7-0' in the two places, *i.e.*, under columns 3 and 4.

We are of opinion that no material alterations have been made as would require the republication of the Bill, and that therefore the Bill need not be republished.

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During the discussions the following members were absent on the dates noted against their names :—

1	*Mushir-ul-Mulk* J. Mahomed Imam	...	13th and 22nd September 1948.
2	Sri Belur Srinivasa Iyengar	...	13th, 22nd and 28th September 1948.
3	Sri B. S. Puttaswamy	...	13th September 1948.
4	Sri A. C. Malle Gowda	...	13th and 28th September 1948.
5	*Dharmaprakasa Rao Bahadur* K. Kuppaswamy Naidu.		22nd and 28th September 1948.
6	*Dharmaprakasa* L. S. Venkaji Rao	...	28th September 1948.
7	Sri H. S. Rudrappa	...	22nd September 1948.
8	Sri T. Madiah Gowda	...	28th September 1948.

Printed by the Director of Stationery and Printing at the Govt. Press, Bangalore.